

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DALE STARRY,

Defendant.

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8:05CR416

ORDER CONTINUING TRIAL

This matter is before the court on defendant's motion to continue trial and waiver of speedy trial (Filings 14 & 15). For good cause shown,

IT IS ORDERED that the motion to continue trial (Filing 14) is granted, as follows:

1. Trial of this matter is continued from February 28, 2006 to **April 18, 2006** before Judge Laurie Smith Camp and a jury.

2. The ends of justice will be served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **February 28, 2006 and April 18, 2006**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act for the reasons stated in the motion, and considering the diligence of counsel. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

DATED February 22, 2006.

BY THE COURT:

s/ F.A. Gossett

United States Magistrate Judge